

LINDEMANN LAW FIRM, APC
BLAKE J. LINDEMANN, SBN 255747
DONNA R. DISHBAK, SBN 259311
433 N. Camden Drive, 4th Floor
Beverly Hills, CA 90210
Telephone: (310)-279-5269
Facsimile: (310)-300-0267
E-mail: blake@lawbl.com

Attorneys For Plaintiff
DANA WEISS AND THOSE
SIMILARLY SITUATED

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA – SOUTHERN DIVISION

DANA WEISS, an individual, and all those
similarly situated;

Plaintiff,

v.

TRADER JOE’S COMPANY, a
California Corporation; and DOES 1
through 10;

Defendants.

Case No. 8:18-cv-01130-JLS-GJS

Judge: Hon. Josephine L. Staton
Mag. Judge: Hon. Gail J. Standish

**DECLARATION OF BLAKE J.
LINDEMANN IN SUPPORT OF
OPPOSITION TO
DEFENDANT’S MOTION TO
DISMISS OR STRIKE
COMPLAINT**

1 I, Blake J. Lindemann, declare and state as follows:

2 1. I am over the age of 21 years and I am competent to make this
3 Declaration. I have personal knowledge of the facts as stated in this Declaration, I
4 will so personally state. I am counsel to the Class Plaintiff Dana Weiss. I am a
5 member in good standing of the State Bar of California. I submit this declaration in
6 support of Plaintiffs' Opposition To The Defendants' Motion to Dismiss or Strike
7 Complaint ("Motion").

8 2. On June 26, 2018, Plaintiff commenced this class action complaint
9 against Trader Joe's Company and DOES 1-10 (collectively, the "Defendants").
10 (Dkt. No. 1). On August 24, 2018, the Defendants filed a motion to dismiss the
11 complaint or, in the alternative, motion to strike (Dkt. No. 16).

12 4. Attached as **Exhibit 1** is a true and correct copy of ABC News article
13 titled, "Alkaline Water Claims to Offer Greater Hydration, Health Benefits."
14 [https://abcnews.go.com/Health/alkaline-water-claims-offer-greater-hydration-](https://abcnews.go.com/Health/alkaline-water-claims-offer-greater-hydration-health-benefits/story?id=33268980)
15 [health-benefits/story?id=33268980](https://abcnews.go.com/Health/alkaline-water-claims-offer-greater-hydration-health-benefits/story?id=33268980).

16 5. Attached as **Exhibit 2** is a true and correct copy of the New York
17 Times article titled, "Is Alkaline Water Really Better for You?"
18 <https://www.nytimes.com/2018/04/27/well/eat/alkaline-water-health-benefits.html>.

19 6. Attached as **Exhibit 3** is a true and correct copy of study titled,
20 "Systemic Review of the Association Between Dietary Acid Load, Alkaline Water
21 and Cancer." <https://bmjopen.bmj.com/content/6/6/e010438>.

22 7. Attached as **Exhibit 4** is a true and correct copy of a study titled,
23 "Influence of Alkaline Ionized Water on Rat Erythrocyte Hexokinase Activity and
24 Myocardium."
25 https://ci.nii.ac.jp/els/contentscinii_20181013060333.pdf?id=ART0001944400.

26 8. Attached as **Exhibit 5** is a true and correct copy of a study titled,
27 "Systemic and local effects of long-term exposure to alkaline drinking water in
28 rats." <https://www.ncbi.nlm.nih.gov/pubmed/11493345>.

1 9. Attached as **Exhibit 6** is a true and correct copy of article titled,
2 “Alkaline Water—Find or Fraud?”

3 <https://cspinet.org/tip/alkaline-water%E2%80%94find-or-fraud>.

4 10. Attached as **Exhibit 7** is a true and correct copy of article titled, “Does
5 Alkaline Water Really Hydrate You Better.” [https://www.wellandgood.com/good-](https://www.wellandgood.com/good-advice/is-alkaline-water-more-hydrating-regular-water/)
6 [advice/is-alkaline-water-more-hydrating-regular-water/](https://www.wellandgood.com/good-advice/is-alkaline-water-more-hydrating-regular-water/).

7 11. Attached as **Exhibit 8** is a true and correct copy of an image of Trader
8 Joe’s Alkaline Water labeling.

9 12. Attached as **Exhibit 9** is a true and correct copy of the Notice of
10 Violation of the California Consumer Legal Remedies Act and Duty to Preserve
11 Evidence that was sent to Defendant Trader Joe’s via certified mail on November
12 11, 2017.

13 13. Attached as **Exhibit 10** is a true and correct copy of article titled, “I
14 Drank Fancy Water for a Week so you Don’t Have to.”
15 [https://www.elle.com/beauty/health-fitness/a32285/alkaline-water-health-benefits-](https://www.elle.com/beauty/health-fitness/a32285/alkaline-water-health-benefits-claims/)
16 [claims/](https://www.elle.com/beauty/health-fitness/a32285/alkaline-water-health-benefits-claims/).

17 14. Attached as **Exhibit 11** is a true and correct copy of article titled,
18 “Huge Number of People Believe Drinking Alkalinized Water Prevents Diseases:
19 Are They Right?” [https://www.alternet.org/print/personal-health/huge-number-](https://www.alternet.org/print/personal-health/huge-number-people-believe-drinking-alkalinized-water-prevents-diseases-are-they)
20 [people-believe-drinking-alkalinized-water-prevents-diseases-are-they](https://www.alternet.org/print/personal-health/huge-number-people-believe-drinking-alkalinized-water-prevents-diseases-are-they).

21 15. Attached as **Exhibit 12** is a true and correct copy of images reflecting
22 the price of Trader Joe’s Alkaline Water compared to that of Trader Joe’s Spring
23 Mountain Water.

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1 Pursuant to 28 U.S.C. § 1746, I, Blake J. Lindemann, declare under penalty of
2 perjury under the laws of the United States of America that the foregoing is true and
3 correct. Executed this day of October 12, 2018 in Beverly Hills, California.

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5 /s/ Blake J. Lindemann

6 BLAKE J. LINDEMANN
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